

KENTUCKY LEGISLATURE.

IN SENATE.

THURSDAY, JANUARY 8, 1846.

ROBERT A. PATTERSON, Senator from the 11th District, took his seat.

Prayer by the Rev. Mr. HUNTER.

The Clerk read the Journal of yesterday.

REPORTS FROM STANDING COMMITTEES.

Mr. HARDIN, from the committee on the Judiciary, a resolution that the Senate advise and consent to the following nominations:

John B. Thompson, to be Commonwealth's Attorney for the 12th Judicial District, in place of Joshua F. Bell, resigned.

Miles C. Folkes, to be Commissioner of Deeds for this State at Vicksburg, Mississippi.

John Bivens, to be Commissioner of Deeds at Philadelphia, Pa.

James B. Latimer, to be Commissioner of Deeds at Baltimore, Md.

George Woodman, to be Commissioner of Deeds at New York, N. Y.

John M. Moore, to be Commissioner of Deeds at Madison, Ia.

Bushrod W. Foley, to be Mayor of the City of Covington.

Edmund H. Taylor, to be Commissioner of the Sinking Fund, in place of Joshua B. Bowles, resigned.

George B. Adams and John T. Cox, to be Commissioners of Green and Barren River Navigation.

John W. Crow, to be Notary Public in Ohio county.

Matthew Bridges, to be Notary Public in Jefferson county.

Moses Cawood, to be Sheriff of Harlan county, in place of Elijah Green, refused.

Thomas Higgin, to be Sheriff of Breathitt, in place of James Cope, time expired.

Ed. D. Stockton, to be Sheriff of Estill, in place of Sampson Walters, resigned.

Joseph Lumpkins, to be Sheriff of Morgan, in place of Jesse Cassity, time expired.

Jeremiah Dickerson, to be Sheriff of Jessamine, in place of Harrison Daniel, time expired.

William L. Stone, to be Police Judge of the Town of Henderson, in place of Thos. Towles, resigned.

And the question being taken thereon, the resolution was adopted. So the nominations were confirmed.

Mr. HARDIN, from the same committee: a bill to change the venue in the case of Robert Simmons, indicted for arson, from the Allen to the Monroe Circuit Court: passed.

Also, a H. R. bill to incorporate the town of Mayfield, with an amendment: concurred and passed.

Mr. A. BOYD, from the committee on Enrollments, reported sundry bills, which were signed by the Speaker.

A message from the H. R. announcing its action on sundry bills and resolutions.

Mr. PEYTON, from the committee on the Judiciary, a bill regulating certain duties of Justices of the Peace: requires them to keep docters of all cases, and of all executions and attachments, in well bound books, with indexes: re-committed to the committee on the Judiciary.

Also, a bill to amend the penal laws: any person usurping any office, or holding over after a court of competent jurisdiction deciding against his right to hold it, to be indicted in the circuit court, and fined not less than \$500, nor more than \$1,500, and be imprisoned till payment of the fine.

Mr. PEYTON said the subject of the bill was of great importance. It is denied that there is power in the courts, under existing laws, to enforce a decision against a usurper in office. The bill confers this necessary power and gives a remedy for a general evil.

Mr. BUTLER concurred as to the importance of the bill proposed as a general law. He offered no objection to the policy of the bill; but it should not be acted on hastily. He moved that 150 copies of the bill be printed, and that it pass into the orders of the day: agreed to.

Mr. WALKER, from the committee on Propositions and Grievances, H. R. act allowing an additional justice to Muhlenburg and Union: passed.

Also, a H. R. act to change the name of Clementine Pealey to Clementine Waterbury: passed.

Also, a H. R. act to change the name of Betsy Walton to Elizabeth V. Grimes, and legitimate her as the daughter of John H. Grimes: and to change the name of Mary Ann White to Mary Ann Maxey, and allow her to inherit estate from her father, W. P. Maxey: passed.

Also, a bill to change the Russell and Clinton line, so as to include the residences and farms of John Grider and five or six others in the county of Clinton: passed.

Also, a bill to change the Franklin and Anderson line, so as to run due west from the mouth of Boone's branch of Little Benson to Preston Blakely: re-committed to the committee on Propositions and Grievances.

Mr. W. P. BOYD, from the committee on Religion, a resolution rejecting the petition of Martin L. Binion, for a divorce: adopted.

Also, a resolution, rejecting the petition of Frances Dickison for a divorce: adopted.

Also, a resolution rejecting the petition of Win-yah C. Barber for divorce: adopted.

Also, a resolution rejecting the petition of Henry Ezell for a divorce: adopted.

Mr. HELM, from the committee on Finance, a bill for the benefit of Lemuel H. Williams: allows him to serve as Deputy Sheriff of Clinton, although he had served as Commissioner of tax in 1845.

Mr. BUTLER said the general law, making the two offices incompatible, was founded in wisdom and sound policy. He saw no reason to depart from that policy in this instance, and opposed the bill.

And the question being taken on the passage of the bill, it was decided in the affirmative, yeas 17, nays 16, as follows:

YEAS—Messrs. A. Boyd, W. P. Boyd, Bradley, Bramlette, Crenshaw, Draffin, Evans, Hardin, Heady, Helm, Henderson, Holloway, Key, Marshall, Thomas, Thurman, Walker—17.

NAYS—Messrs. Ballard, Butler, Chenault, Conner, Drake, Gray, Harris, Newell, Peyton, Slaughter, South, Swope, Taylor, Todd, Wallace, Woodson—16.

Mr. HELM, from the same committee, a bill for the benefit of Philip Lightfoot, Sheriff of Breckinridge: refunds him \$26 interest on judgment against him for failing to pay in his revenue in due time: passed.

Also, a bill for the benefit of William C. Price, Sheriff of Oldham: allows him \$20 for his expenses in conveying a Lunatic to the Asylum at Lexington and back: passed.

Mr. THURMAN, from the committee on Education, a bill for the benefit of the School Commissioners of Fayette: allows them to make their report and draw their share of school fund: passed.

Mr. KEY, from the committee on Banks, a bill to continue in force the 20th section of the act to amend the charters of the Banks of Kentucky, approved March 8, 1843, till the first day of March, 1850; the said 20th section grants the banks privi-

lege to issue notes under \$5, but not under, \$1, till the 1st of January, 1846.

Mr. BALLARD was opposed to the issue of notes under \$5. He moved to strike out the provision granting that privilege.

Mr. HELM. That would be equivalent to the rejection of the entire bill. The small bills were at all times convertible into specie and were a great public convenience.

Mr. KEY. The bills being convertible into specie, are a sound, safe, and convenient currency. They were very much appreciated for purposes of small remittances, for newspapers and other objects.

Mr. BALLARD was opposed to the whole bill and hostile to the emission of any bills, under \$5. If we stop the circulation of these small bills, specie will fill up the channels of circulation through which they now flow.

The SPEAKER suggested that the question made by the Senator from Oldham, (Mr. BALLARD,) would be virtually decided by the vote on the question on the third reading.

Mr. BALLARD acquiesced in the suggestion.

And the question being taken on the passage of the bill, it was decided in the affirmative, yeas 26, nays 8, as follows:

YEAS—Messrs. Bramlette, Butler, Chenault, Conner, Crenshaw, Draffin, Drake, Evans, Gray, Hardin, Heady, Helm, Henderson, Holloway, Key, Newell, Patterson, Peyton, Slaughter, Swope, Taylor, Thomas, Thurman, Todd, Walker and Woodson—26.

NAYS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradley, Harris, Marshall, South, and Wallace—8. So the bill passed.

A message from the Governor, by the Secretary of State.

The Secretary of State also delivered his report in relation to the exchange of bonds.

The rule requiring the Governor's Message to lie on the table one day, was dispensed with, the message read, being nominations of Sheriffs, Notary Public, Commonwealth's Attorney, and referred to the committee on the Judiciary.

The Secretary's report, being a tabular statement of thirty year bonds exchanged for 6 year bonds, was referred to the committee on the Sinking Fund, and ordered to be printed.

ORDERS OF THE DAY.

A Joint Resolution, appointing a committee to visit Transylvania University and the Lunatic Asylum, with a H. R. amendment, including the Deaf and Dumb Asylum: concurred in.

An act allowing the Sheriff of Polaski further time to collect muster fines, with a H. R. amendment, allowing the Sheriff of Rockcastle further time to collect the county revenue, and return his delinquent list: concurred in.

An engrossed bill to change the time of the meeting of the General Assembly to the first Monday in December in each year hereafter.

And the question being taken on the passage of the bill, it was decided in the affirmative, yeas 19, nays 16, as follows:

YEAS—Messrs. Ballard, W. P. Boyd, Conner, Crenshaw, Draffin, Dyer, Gray, Hardin, Harris, Helm, Henderson, Newell, Patterson, Peyton, South, Swope, Taylor, Thomas and Todd—19.

NAYS—Messrs. A. Boyd, Bradley, Bramlette, Butler, Chenault, Drake, Evans, Heady, Holloway, Key, Marshall, Slaughter, Thurman, Walker, Wallace and Woodson—16.

So the Senate decided to adjourn *sine die* on the 10th of February.

MOTIONS AND RESOLUTIONS.

Mr. GRAY, leave to introduce a bill to amend an act requiring proprietors of Shows to obtain licenses: referred to the committee on Propositions and Grievances.

Also, leave to introduce a bill to prevent the burning of woods in Christian county: referred to the committee on Propositions and Grievances.

Also, leave to introduce a bill to regulate the terms of the Christian County Court: referred to the committee on the Judiciary.

Mr. PEYTON, leave to introduce a bill for the benefit of Quittus C. Shanks, late Sheriff of Ohio county and others: referred to the committee on Executive Affairs, &c.

Mr. HARRIS moved that the resolution lie on the table for the present: agreed to.

A joint resolution that the General Assembly adjourn *sine die* on the 10th February next.

Mr. WOODSON moved an amendment, as a substitute, that the General Assembly will adjourn on the earliest day after getting through the public business.

Mr. PATTERSON was opposed to the amendment and in favor of the original resolution. Last year we got through the business and adjourned on the 10th of February; and no act of the Legislature was so universally approved by the people as that of fixing an early day of adjournment. The advantage of fixing a day for final adjournment is, that we have a day to work up to, and can carry out the public business; whereas, if the day be not fixed, we postpone business, debate and discuss too much. My experience in legislation convinces me that we can dispatch the public business in a session of forty days. The Legislature of '44-5 had received from the people the gratifying appellation of "the working Legislature."

Mr. HARRIS. I never have voted for fixing the day of adjournment so early in the session. I am in favor of the amendment offered by the Senator from Jessamine [Mr. Woodson.] It is very true the people were gratified because the last session terminated so early as the 10th of February, and that they approve short sessions. But times and business were subject to great variations. There is far more important business to be transacted this session than there was the last session. Among the rest, there was a proposition to create a new county out of Caldwell. If we adjourn on the 10th of February, I am fearful (playfully) we shall not be able to pass that important measure. I am not pledged to vote for that measure; nor am I in favor of the principle of ripping up old counties. My section has been ruined already by that practice; but I wish to enjoy the sport and fun of seeing the Senator from Caldwell (Mr. Patterson) struggling to preserve his county from mutilation. I shall go for the amendment, to enable us to take a hand in dividing Caldwell.

Mr. WOODSON was not opposed to adjourning on the 10th or even on the 1st of February; but he could not now determine that we should be able to get through by the 10th. It may be, possibly, we can finish our business and adjourn on the 1st. When we can see through, we can then intelligibly designate a day of final adjournment.

Mr. PATTERSON was indebted to the Senator from Floyd, (Mr. Harris,) for the special consideration which he proposed to bestow on the proposition to erect a new county out of Caldwell. If my recollection, however, be worth any thing, we settled that question very satisfactorily last session, and adjourned on the 10th of February, nevertheless, as the Senator must also remember. If any amendment be exhibited, in the consideration of that new county question, no doubt it will proceed from the Senator; it could only originate with him. But when the question comes up and there shall be deemed not enough time before the 10th February, for the display of that Senator's humor, I will move to rescind the adjourning resolution to give him more time for that purpose. I wish, myself, to witness the display of his merriment and talents.—

Mr. HARRIS, speaking across—On your side? (Laugh.)

Mr. PEYTON. On my side. (Laugh.)

Mr. BUTLER adhered to the ground of the original resolution. I presume not a single Senator will say he would adjourn when the public business shall have been completed. But the difficulty is to know when that is done. This is the real difficulty. If we sit here from January to January, we shall be no nearer through than we shall be on the day proposed. The appetite for legislation

grows by what it feeds upon. The greatest curse of this country is redundant legislation. The general laws have not time to be understood by the country before they are repealed or substituted by new ones. This may be beneficial to the legal profession, but it is injurious to the body of the people. Permanent laws, of less wisdom, are better than wiser laws perpetually changing. It is true the objections to fixing the day of adjournment now seem plausible. But I can hardly anticipate any difficulty growing out of it, which the wisdom of the Legislature may not solve. If such great questions arise, as may require longer time for their consideration than are now anticipate, we can rescind and fix another day. It would be wisdom not to adjourn pending such great questions. The advantages from adopting the resolution, have been well stated by the Senator from Caldwell. When we know the space of time in which we have to legislate, we labor with more energy and despatch; our industry is stimulated; and we dispute and debate less. There are many other reasons obvious to the Senate, in favor of the resolution.

Mr. TAYLOR moved the previous question.

Mr. WALKER moved that the resolution lie on the table for the present; and the question being taken, it was decided in the negative, yeas 7, nays 27, as follows:

YEAS—Messrs. Ballard, Butler, Chenault, Conner, Crenshaw, Draffin, Drake, Evans, Gray, Hardin, Heady, Helm, Henderson, Holloway, Key, Newell, Patterson, Peyton, South, Swope, Taylor, Thomas, Thurman, Todd, Walker and Woodson—27.

NAYS—Messrs. Alfred Boyd, Wilson P. Boyd, Bradley, Bramlette, Butler, Chenault, Conner, Crenshaw, Draffin, Evans, Gray, Hardin, Harris, Heady, Helm, Henderson, Holloway, Marshall, Patterson, Peyton, South, Swope, Taylor, Thomas, Thurman, Todd, Wallace and Woodson—27.

So the bill passed.

A message from the Governor, by the Secretary of State.

The Secretary of State also delivered his report in relation to the exchange of bonds.

The rule requiring the Governor's Message to lie on the table one day, was dispensed with, the message read, being nominations of Sheriffs, Notary Public, Commonwealth's Attorney, and referred to the committee on the Judiciary.

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So the bill passed.

Miscellaneous.

THE MAILS.

WESTERN MAIL—via Louisville, Ky.; arrives daily at 1 P.M., departs daily at 9 A.M.
EASTERN MAIL—via Lexington, Ky.; arrives daily at 8 A.M., departs daily at 2 P.M.
GEORGETOWN MAIL—five daily at 8 A.M., departs daily at 2 P.M.
VERSAILLES MAIL—arrives Mondays, Wednesdays and Fridays, at 8 A.M., departs Tuesdays, Thursdays and Saturdays, at 2 P.M.
SOUTHERN MAIL—via Harrodsburg, Ky.; arrives Tuesdays, Thursdays and Saturdays, at 1 P.M., departs Mondays, Wednesdays and Fridays, at 9 A.M.
CARROLTON MAIL—via Kentucky River, in Boats; arrives Sundays, Tuesdays, Thursdays and Saturdays, at 9 A.M., departs Sundays, Tuesdays, Thursdays and Fridays, at 9 A.M.
OWENTON AND NEW CASTLE MAILS—via River, in Boats; arrives Sundays and Thursdays, with Carrollton Mail, at 9 A.M., departs Tuesdays and Fridays, with Carrollton Mail, at 9 A.M.

LETTERS intended for the Western, Southern, Carrollton, Owenton and New Castle Mails, must be placed in the office by 7 o'clock and on the days of departure.

LETTERS intended for Eastern, Georgetown, and Versailles Mails, must be in by 12 M., on the days of departure.

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OPPOSITE THE POST OFFICE,
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CITY DRUG STORE,
NO. 1, MAIN STREET, CORNER OF ANN STREET,
Opposite R. Knott's Dry Goods Store,
FRANKFORT, KY.

DR. W. L. CRUTCHER would respectfully inform his customers and the public generally, that he has at the above establishment, a large and general assortment of FRESH DRUGS, MEDICINES, CHEMICALS, SURGICAL INSTRUMENTS, PAINTS, OILS, VARNISHES, DYE-STUFFS, GLASS-WARE, BRONZES, &c., &c.

Very extensive assortment—PURE WINES, LIQUORS, &c., &c.

All of which will be sold Wholesale or Retail, at very reduced prices for Cash, or to prompt customers on the usual credit.

If Prescriptions put up with neatness, care and accuracy. Medicines can be had at all hours of the night. January 1, 1846

FASHIONABLE BOOT AND SHOE MANUFACTORY.

WILLIAM H. WOOD,
St. Clair street, opposite Wm. M. Todd's Bookstore, Frankfort.

HAVING returned to Frankfort and established himself in the Boot and Shoe making business, in all its branches, he is now prepared to attend to any call in his line, on the shortest notice, and it flatters him, that from many thanks given in the above named business, his customers can be sure of hand finished articles for Gentlemen's wear.

N. B. Fresh Lick Water can also be had at his shop. He also has a preparation for cleansing the hair of Dandruff. January 1, 1846

Letters intended for the Western, Southern, Carrollton, Owenton and New Castle Mails, must be placed in the office by 7 o'clock and on the days of departure.

Letters intended for Eastern, Georgetown, and Versailles Mails, must be in by 12 M., on the days of departure.

Frankfort Advertisements.

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FOREIGN AND DOMESTIC DRY GOODS.
January 1, 1846

JAMES MONROE,

ATTORNEY AND COUNSELLOR AT LAW, FRANKFORT, KENTUCKY.
WILL attend diligently to any business which may be entrusted to him, of any of the Courts held in Frankfort and adjoining counties. Collections made in any part of the State. Office in Old Bank corner, opposite Mansion House.

January 1, 1846

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HISTORICAL AND MISCELLANEOUS.

WILL inform his friends and the public that he is prepared to execute work in all of the various branches of Wagon Making and Blacksmithing, at the lowest cash prices. He also makes improved Ploughs. He has employed experienced workmen, and warrants his work. His shops are situated on High Street, where he will be pleased to see his friends. January 1, 1846

ALSO—WHITEHEAD & BROWN and LOUGHROUGH'S DIGEST.

HISTORICAL AND MISCELLANEOUS.

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TAYLOR & KENNAN'S
REGULAR AUCTION AND COMMISSION STORE,
ST. CLAIR STREET, FRANKFORT.

FOR the sale of DRY GOODS, BOOKS, FURNITURE, &c., &c. Auction sales of Dry Goods regularly every Tuesday and Friday evenings, at half past six o'clock, and at such other times as may be necessary to close consignments.

Goods &c., sold at private sale at all times, and at reduced prices, for CASH.

January 1, 1846

GRAHAM'S LIVERY STABLE,
ANN ST., BETWEEN BROADWAY & MAIN, NEAR THE WEISIGER HOUSE,
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AT his old and well known stand, is prepared to keep Horses in tip-top style, and at the most moderate prices. First Rate Buggies, Hacks, and Barouches constantly on hand for hire. Also, good Riding Horses will ride. He gives his personal attention to every thing connected with his Stable, and he knows that he is hard to beat in keeping Horses. January 1, 1846

C. G. GRAHAM,

RELIABLE & TRUSTWORTHY.

WILL promptly inform his friends that he is now carrying on the business in all of the various branches. He solicits patronage, and pledges himself to use every exertion to deserve it. Besides, he pledges himself to do better work, and at the same prices, FOR CASH, as is done at Cincinnati or Louisville. If you don't believe this, give him a trial, and the most skeptical shall be convinced. January 1, 1846

JOHN D. RAKE,

MAIN STREET, OPPOSITE THE MANSION HOUSE,
FRANKFORT, KENTUCKY.

RESPECTFULLY informs his friends that he is now carrying on the business in all of the various branches. He solicits patronage, and pledges himself to use every exertion to deserve it. Besides, he pledges himself to do better work, and at the same prices, FOR CASH, as is done at Cincinnati or Louisville. If you don't believe this, give him a trial, and the most skeptical shall be convinced. January 1, 1846

BOONE HOUSE.

THOMAS S. CARTER,

HAVING purchased the stock of H. Fox in the "Frankfort Restaurant," on the South West corner of Broadway and Lewis streets, in the town of Frankfort, and added thereto every thing to furnish a complete COFFEE HOUSE.

He will at all times keep a full assortment of choice Liquors, Wines, Ale, Porter, &c. &c. He will conduct a superior Coffee House, in which the lovers of good things will, at all seasons, and at all hours, day or night, be promptly supplied, with every delicacy of "Fish, Flesh and Fowl," Venison, Beef Tongues, Birds, Oysters, and in short, every thing usual and unusual in such an establishment. The price will be constant and unwavering; his terms satisfactory. He therefore hopes to receive a liberal share of public patronage.

N. B. Lunch every day at 11 o'clock. January 1, 1846

BROADWAY HOTEL,
CORNER OF BROADWAY AND ANN STREETS, FRANKFORT, KENTUCKY.

W. H. KENDALL,

WOULD inform his friends that he is still the Proprietor of this well known tavern stand, and that his Table, Bar and Stables are kept up with the best market afford. He invites strangers and others to give his house a trial, as he flatters himself that his accommodations are not inferior to either of the other public hotels in the place. January 1, 1846

CONFECTORY, FRUIT AND VARIETY STORE,
NO. 2, ST. CLAIR STREET, FRANKFORT, KY.

WOULD respectfully inform the citizens of this city and vicinity, that he keeps on the above business in all its various branches. He keeps none but the best of workmen, and can therefore assure his customers, who hope to receive as he has done, a full assortment of FANCY STATIONERY, such as Note Paper, Envelopes, Motto Seals, Motto and other Wafers, Penknives, Scissors, Albums, &c., &c.; Ladies' Rosemary, and other Writing Desks and Work Boxes; Globes 6 and 12 inch.

BLANK BOOKS of various qualities.

COFFEE HOUSE, AT LOUISVILLE.

WILL promptly execute all orders entrusted to him. January 1, 1846

HENRY EVANS,
FASHIONABLE BOOT AND SHOE MAKER,
ST. CLAIR STREET, OPPOSITE MANSION HOUSE,
FRANKFORT, KY.

WILL promptly execute all orders entrusted to him. January 1, 1846

FRANKFORT COACH MANUFACTORY.

J. J. G. N.

HAVING made the necessary arrangements in his line, is now prepared to build all kinds of work in his shop, which is now open, as Coaches, Cochees, Buggies, Phaetons, &c. &c. His shop can be found at the South end of Ann street, and is the shop formerly connected to the stage line.

All kinds of repairing done on the shortest notice and in the best manner. He solicits patronage. January 1, 1846

WM. MATHEWS,
FASHIONABLE TAILOR,
MAIN STREET, FRANKFORT, KENTUCKY.

IS prepared to make all kinds of Gentlemen's wear in the most elegant style of taste and fashion. January 1, 1846

WM. BRIDGES,
FASHIONABLE TAILOR,
NO. 3, SWIGERT'S ROW, ST. CLAIR STREET, FRANKFORT, KENTUCKY.

IS prepared to execute work in his line in a HIGHER and not lower than any establishment in the place. Give him a call. January 1, 1846

JOSEPH W. ALLEN—TAILOR,
TWO DOORS FROM MAIN, ON LEWIS STREET,
FRANKFORT, KY.

IS prepared to execute work in his line in the neatest and most fashionable manner. January 1, 1846

EMPIORIUM OF FASHION.

C. N. JOHNSTON—TAILOR,
SOUTH SIDE OF MAIN STREET, BETWEEN WEISIGER & MANSION